

Remarks/Arguments

Claims 1 – 7 and 12 – 20 are pending in the application. Claims 1, 13 and 15 are independent.

In the present amendment, claims 1, 13 and 15 are amended for clarity purposes. No new matter is added.

Rejection of claims 1 – 7 and 12 – 20 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement

In the present amendment, claims 1, 13 and 15 are amended to obviate the rejection. No new matter is added. Withdrawal of the rejection of claims 1 – 7 and 12 – 20 under 35 U.S.C. 112, first paragraph is respectfully requested.

Rejection of claims 5 and 17 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

Applicants have amended claims 5 and 17 to further clarify the claimed invention. Amended claim 5 recites “Method according to claim 1, wherein said data associated with said command contain a numeric value, and wherein the range of page numbers is defined by the numeric value and the page number of said first menu page, and wherein from among the available menu pages within the defined range, the menu page with the next higher page number relative to the page number of said first menu page is selected, if the numeric value indicates a higher page number than the page number of the first menu page.” This means that the data associated with the command contain a numeric value, and this numeric value and the page number of the first menu page are used for defining the range of page numbers. Then a menu page among the available menu pages within this range is to be selected based on the following condition: the menu page with the next higher page number relative to the page number of the first menu page is selected, if the numeric value indicates a higher page number than the page number of the first menu page. Thus, Applicants submit that claim 5 and similarly

claim 17 are unambiguous and clearly understood by a person ordinarily skilled in the art. Withdrawal of the rejection of claims 5 and 17 under 35 U.S.C. 112, second paragraph, is respectfully requested.

Rejection of claims 1 – 7 and 12 – 20 under 35 U.S.C. 102(b) as being anticipated by Goldsmith (US 2005/0076309; PG Pub Date; April 7, 2005; Patent Filing Date: October 3, 2003)

Applicants submit that for at least the following reasons, claims 1 – 7 and 12 – 20 are patentable over Goldsmith.

For example, claim 1, in part, requires:

"associating a page number with each menu page." (Emphasis added)

In the Office Action, page 5, it is alleged by the Office that Goldsmith, Fig. 5, paragraphs [0010] and [0011], discloses the above claimed feature. Applicants respectfully disagree.

Applicants submit Goldsmith only discloses that the menu options are associated with pointers, not with page numbers. In the Office Action, it is alleged by the Office that "page numbers" are functionally equivalent to pointers to other menus. The Office noted that Applicants' specification refers to item 14 in Fig. 1 as "numeric page number" and that item 14 would be "Playlist #xxxx". Applicants respectfully disagree with such interpretation. In Fig. 1, the item 14 is "#03000" and is clearly identified as "play-item number" in Applicants' specification, page 9, line 4 and line 9. The word "Playlist" is not part of the item 14. Therefore, it does not follow that "page numbers" are functionally equivalent to pointers to other menus.

Furthermore, Applicants submit that page numbers have an implicit order, i.e. the pages can be ranked. For example, if any three menu pages belong to the same hierarchical level of a menu and have associated page numbers, their order is implicitly given by the value of the page numbers. In contrast, a pointer just points to another object, multiple pointers can point to the same object, and pointers do not have an intrinsic order among themselves. When numbering the pages, it is possible to leave

out certain page numbers (this is the case, as an example, in most of the figures shown in Applicants' drawings). Still, the pages will be positioned in the correct order due to the intrinsic order of the page numbers. Then, it is possible to insert additional pages later. The inserted pages will also be positioned in the correct order, without modifying the previously existing pages. This is different from pointers or linked lists, since they would require modification of links or pointers in previously existing pages. Thus, a pointer does not represent any ranking of the referenced object among other objects referenced by other pointers. Therefore, "page numbers" are not functionally equivalent to pointers to other menus.

Applicants further submit that although Goldsmith also discloses "previous page" buttons, these refer to the history of menu usage: that is, a history of previously selected menu items is provided, and "previous page" is understood as the previously selected page (see e.g. Fig.5 of Goldsmith). This is always a menu level that is higher than the current level. In the present invention however, "previous page" refers to the natural sequential order of pages, as created through page numbering. The page numbers bring a plurality of menu pages, and particularly pages that are on the same menu level, into a natural sequence order, so that "next page" and "previous page" buttons can be used for navigating within a current menu level. Consequently, Goldsmith does not disclose "next page" buttons other than normal submenu buttons, since the menu pages do not have a sequential order. Therefore, Goldsmith does not disclose associating menu pages with page numbers.

In view of at least the foregoing reasons, Applicants submit Goldsmith does not disclose the claimed feature: associating a page number with each menu page. Therefore, claim 1 is patentable over Goldsmith.

Independent claims 13 and 15 contain many similar distinguishing features as discussed above with respect to claim 1. Applicants essentially repeat the above arguments for claim 1 and apply them to claims 13 and 15 pointing out why Goldsmith fails to disclose the claimed features. Therefore, claims 13 and 15 are patentable over Goldsmith.

Claims 2 – 7, 12, 14 and 16 – 20 respectively depend from claims 1 and 13, and inherit all the respective features of claims 1 and 13. Therefore, claims 2 – 7, 12, 14 and 16 – 20 are patentable for at least the reason that they respectively depend from claims 1 and 13, with each claim containing further distinguishing features.

Withdrawal of the rejection of claims 1 – 7 and 12 – 20 under 35 U.S.C. 102(b) is respectfully requested.

Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at (609) 734-6813, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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